

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: Grimbergen et al. | Group Art Unit: 1763 |
| Application No: 09/595,778 Confirmation No: 6490 | Examiner: Allan W. Olsen |
| Filed: June 16, 2000 | Attorney Docket No: 2077 USA D01/ETCH/SILICON/DAO |
| Title: APPARATUS AND METHOD FOR MONITORING PROCESSING OF A SUBSTRATE | July 23, 2008 San Francisco, California |

SUBMISSION OF DECLARATION PURSUANT TO 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

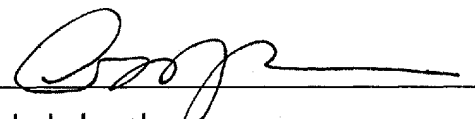
Examiner Olsen:

This communication is in supplement to the Amendment and RCE filed June 19, 2008. Attached please find a Declaration from Michael Grimbergen and Shaoher Pan that antedates the present invention over Chiu et al.

Should the Examiner have any questions regarding the attached Declaration and Exhibits, the Examiner is requested to telephone the undersigned representative at: (415) 538-1555.

Respectfully submitted,

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